IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

Plaintiff,

V.

RESTORING INTEGRITY TO THE
OCEANS, INC. and
KIERAN KELLY

Defendants.

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Civil Action 5:21-cv-01132-JKP-HJB
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Civil Action 5:21-cv-0114-VKP-HJB
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Civil Action 6:21-cv-0114-VKP-HJB
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Civil Action 6:21-cv-0114-VKP-HJB
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Civil Action 6:21-cv-0114

ORDER

Before the Court is Plaintiff ReSea Project ApS's *Emergency* Motion to Enforce Court Order (the "*Emergency* Motion"). Having considered the *Emergency* Motion, any response, and all arguments made and authorities cited by the Parties, the Court hereby finds that Plaintiff has shown by clear and convincing evidence that Defendants Restoring Integrity to the Oceans, Inc. ("RIO") and Kieran Kelly have violated the Agreed Order on Expedited Discovery, dated February 4, 2022 (the "Expedited Discovery Order") (ECF No. 23). Accordingly, pursuant to its inherent authority and Rule 37 of the Federal Rules of Civil Procedure, the Court hereby GRANTS the *Emergency* Motion, holds Defendants in civil contempt, and issues sanctions against Defendants as set forth below:

- A coercive, non-punitive fine of \$1,500.00 per Defendant per violation of the Expedited Discovery Order outlined in the *Emergency* Motion; and
- An award of the attorneys' fees and costs that ReSea Project ApS has incurred in connection with the *Emergency* Motion.

Plaintiff shall submit an application to the Court within 21 days of the entry of this order, specifying the fees and costs they seek from Defendants as described above, along with any supporting materials, arguments, and authorities.

IT IS SO ORDERED.

SIGNED on ________, 2022

Jason K. Pulliam
United States District Judge